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**DECISION****THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548****FILE: B-191380****DATE: April 24, 1978****MATTER OF: Greenbrier Industries, Inc.****DIGEST:**

SBA requested time extension from DPSC to process protester's COC application, necessitated because inadequate information was submitted by protester's subcontractor. Protest against DPSC refusal to grant extension and resultant SBA denial of COC is denied. Granting of extensions is discretionary with Government--bidder's interests are not controlling--and protester was responsible for submitting complete and adequate COC application, granting or denial of which is not reviewable by GAO.

Invitation for bids (IFB) No. DLA100-78-B-0030 was issued on October 14, 1977, by the Defense Personnel Support Center (DPSC) of the Defense Logistics Agency for 48,892 sweatshirts. Bids were opened on November 3, and Greenbrier Industries, Inc. (Greenbrier), a small business firm, was the low bidder.

A preaward survey resulted in a negative determination regarding Greenbrier's responsibility. Greenbrier then filed an application with the Small Business Administration (SBA) for a certificate of competency (COC) and was advised by SBA that all pertinent information had to be submitted by January 17, 1978.

On January 11, Greenbrier requested that SBA extend the date for submission of the COC data to January 23. The request was approved, and SBA accordingly revised the closing date for processing the application to February 3. Greenbrier submitted the data by the required date.

On January 27, DPSC afforded SBA an extension until February 9 to process Greenbrier's COC application, made necessary because of time lost due to adverse weather conditions.

B-191380

On February 2, an SBA representative visited the facility of Greenbrier's subcontractor and provided the subcontractor with relevant forms to complete. The completed forms were submitted to SBA on February 9.

Apparently, the subcontractor's data was insufficient in regard to the size of the firm. SBA therefore requested one more time extension from DPSC, but the request was denied. Since SBA could not, therefore, complete the COC processing within the already extended timeframe, it closed the case.

Greenbrier filed a protest in our Office on the matter, arguing that a COC would have been issued by SBA if one more time extension had been granted by DPSC.

It is the responsibility of the small business firm concerned to file a complete and acceptable COC application with SBA in order to avail itself of the possible protection provided by statute and regulation against unreasonable determinations by contracting officers as to its responsibility. Moreover, the granting of an extension for filing or processing a COC application is properly a matter within the contracting agency's discretion, and the bidder's interests are not controlling. See Solar Laboratories, Incorporated, B-180920, June 26, 1974, 74-1 CPD 347; B-174970, February 29, 1972. In this connection, Armed Services Procurement Regulation § 1-705.4(c) (1976 ed.) emphasizes the need for the expeditious processing of a COC application by providing that a contracting agency shall withhold the award of a contract "until SBA action concerning issuance of a COC or until 15 working days after the SBA is so notified, whichever is earlier."

As indicated above, an initial time extension was granted by DPSC solely for Greenbrier's benefit, and the SBA request that was rejected was necessary only because Greenbrier's subcontractor did not submit adequate information. In view thereof, we do not consider DPSC's action improper.

B-191380

Concerning SBA's decision not to issue a COC, under 15 U.S.C. § 637(b)(7) (1970), SBA has the authority to issue or deny a COC, and our Office has no authority to review an SBA determination, to require issuance of a COC, or to reopen a case when a COC has been denied. See Clarksburg Coating Corporation, B-189418, September 2, 1977, 77-2 CPD 172; 53 Comp. Gen. 344, 346 (1973).

The protest is denied.

Deputy

  
Comptroller General  
of the United States